



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

VIA UPS

FEB 15 2017

Mr. Russ Relkin
Vice President of Manufacturing
Colonial Metals Company
217 Linden Street
Columbia, PA 17512

Re: Request for Information Pursuant to Section 3007(a) of the Resource Conservation and Recovery Act, 42 U.S.C. § 6927(a), Regarding Generation and Management of Hazardous Waste and Management by Colonial Metals Company
EPA ID No. PAD003002631
Reference No. C17-012

Dear Mr. Relkin:

The U.S. Environmental Protection Agency, Region III ("EPA") is requesting information to supplement the information obtained by EPA during the inspection of Colonial Metals Company, located at 217 Linden Street, Columbia, PA 17512 (the "Facility") on July 26, 2016. A copy of the inspection report is enclosed. EPA is requesting this information pursuant to the authority granted to it under Section 3007(a) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6927(a), which provides in relevant part that "any person who generates, stores, treats, transports, disposes of, or otherwise handles or has handled hazardous wastes shall, upon request of any officer, employee or representative of the Environmental Protection Agency, duly designated by the Administrator, . . . furnish information relating to such wastes" EPA hereby requires that you furnish to EPA, within twenty (20) calendar days of receipt of this letter, the information requested below, including all documents responsive to such request.

For each and every request, if you have any reason to believe that there may be a person(s) who may be able to provide a more detailed or complete response to such request or may be able to provide additional responsive documents, then as a part of your response to such request, identify each such person and the additional information or documents which such person may be able to provide. Furthermore, for each and every response, if information or documents responsive to such request are not in your possession, custody or control, then as part of your response to such request, identify each person from whom such information or

documents may be obtained.

Please provide a separate narrative response to each question. Precede each answer with the number of the question or letter of the subpart of the question to which it corresponds. A request for documents shall be construed as a request for any and all documents maintained by you or in your custody, control, or possession or in the possession, custody or control of any of your employees or agents, relating to the matters described below. For each copy of a document produced in response to this request, indicate on such copy, or in some other reasonable manner, the number of the request to which it responds, the current location and custodian of the original, the date such original was prepared, the person(s) who prepared the original and the date the document became effective at the Facility. *Copies of all documents must be legible.*

As used herein, the term "document" means: writings (handwritten, typed or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, bills of lading, weight receipts, toll receipts, correspondence, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, books of original entry, minutes of meetings, memoranda, notes, calendar or daily entries, agendas, bulletins, notices, announcements, charts, maps, photographs, drawings, manuals, brochures, reports of scientific study or investigation, schedules, price lists, telegrams, teletypes, phonograph records, magnetic voice or video records, tapes, summaries, magnetic tapes, punch cards, recordings, discs, computer print outs, or other data compilations from which information can be obtained or translated.

All other terms used in this request for information that are defined in RCRA, 42 U.S.C. §§ 6901 *et seq.*, or 40 C.F.R. Parts 260-266, 268, and 273 shall have the meanings set forth therein.

Requested Information

1. At the time of the inspection you identified 45 super sacks of baghouse dust on pallets in the baghouse area (see Photographs #11, #12, #13, #14 and #15 in enclosed inspection report) as coproducts. Regarding **each** of these super sacks, please provide the following:
 - a. A description of its source
 - b. Its date(s) of generation
 - c. State whether any analysis of this material has been conducted. If so, provide the dates of analysis and the results.
 - d. State whether a "waste determination" and "LDR determination" has been made for the material
 - e. If a "waste determination" and "LDR determination" has been made, state when such a determination(s) was made and the results of such determination(s)

- f. If the material has been determined to be “hazardous waste,” please state the specific EPA Hazardous Waste Code(s) associated with each such hazardous waste. If it has been determined not to be hazardous waste, explain the reasons for such determination.
 - g. State whether any hazardous waste determination made for such waste was based on the generator’s knowledge of the process that generated the waste, or upon analytic results. If a determination was made on the basis of process knowledge, describe the scientific rationale for such a determination. If the determination was based on analytical results, describe the sampling procedures and provide copies of any and all such results.
 - h. Please state if the material has been shipped off-site and the date and method of such shipment(s). If it has not been shipped off-site, state its current location and explain why it has not been shipped off-site.
 - i. If the material was shipped off-site, provide copies of all bills of lading, manifests (including but not limited to hazardous waste manifests), shipping invoices, and LDR notices and certifications that accompanied and/or refer to each off-site shipment of this waste.
2. For each of the past three years, state the number of super sacks, and the weight and volume of this material present on January 1st of each year, and what percent of this material was shipped offsite by the end of that year (by weight or by volume).
 3. Describe how your operation, regarding the handling of this material, meets the four requirements of legitimate recycling as found in 40 CFR § 260.43(a) (1-4). (Attached)
 4. Have you notified the state of your management of this material as described in 40 CFR § 260.42? (Attached). If so, provide the date the notification was submitted, and a copy of the notification.

The provisions of Section 3008 of RCRA, 42 U.S.C. § 6928, authorize EPA to pursue penalties for failure to comply with or respond adequately to an information request under Section 3007(a) of RCRA. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. The information you provide may be used by EPA in administrative, civil or criminal proceedings.

Your response must include the following signed and dated certification:

I certify that the information contained in this response to EPA’s request for information and the accompanying documents is true, accurate and complete. As to the identified portions of this response for which I cannot

personally verify their accuracy, I certify under penalty of law that this response and all attachments were prepared in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Signature: _____
Name: _____
Title: _____

With regard to the Small Business Regulatory Enforcement and Fairness Act (SBREFA), please see the "Information for Small Businesses" memo, enclosed, which might be applicable to your company. This enclosure provides information on contacting the SBREFA Ombudsman to comment on federal enforcement and compliance activities and also provides information on compliance assistance. As noted in the enclosure, any decision to participate in such program or to seek compliance assistance does not relieve you of your obligation to respond in a timely manner to an EPA request or other enforcement action, create any rights or defenses under law, and will not affect EPA's decision to pursue this enforcement action. To preserve your legal rights, you must comply with all rules governing the administrative enforcement process. The Ombudsman and fairness boards do not participate in the resolution of EPA's enforcement action. EPA has not made a determination as to whether or not you [or your company] are covered by the SBREFA.

You are entitled to assert a claim of business confidentiality covering any part or all of the information, in a manner described in 40 C.F.R. § 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with 40 C.F.R. Part 2, Subpart B. Unless a claim of business confidentiality is asserted at the time the requested information is submitted, EPA may make this information available to the public without further notice to you.

This request for information is not subject to review by the Office of Management and Budget pursuant to the Paperwork Reduction Act, 44 U.S.C. §§ 3501-3520.

Please send your response to:

Eric J. Greenwood (3LC32)
U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

If you have any questions concerning this matter, please contact Mr. Greenwood at (215) 814-2057.

Sincerely,



Carol Amend, Associate Director
Land and Chemicals Division
Office of RCRA Programs

Enclosures

cc: Eric Greenwood (3LC32)
Pauline Belgiovane (3LC30)

